

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MARLENE LYNN ROTH,)	Civ. No. 07-00045 JMS-BMK
)	
Plaintiff,)	
)	
vs.)	ORDER ENTERING DEFAULT
)	AGAINST MERIDIAN
)	UNDERWRITERS, INC., AND
MERIDIAN FINANCIAL)	FINDING AND
NETWORK, INC., et al.,)	RECOMMENDATION THAT
)	COUNTERCLAIMS AND
Defendants.)	CROSSCLAIMS OF MERIDIAN
_____)	UNDERWRITERS, INC. BE
)	DISMISSED
MERIDIAN FINANCIAL)	
NETWORK, INC., et al.,)	
)	
Counterclaimants/)	
Cross-Claimants,)	
)	
vs.)	
)	
MARLENE LYNN ROTH)	
)	
Counterclaim)	
Defendant,)	
)	
and)	
)	
OPTION ONE MORTGAGE)	
CORPORATION,)	
)	
Cross-Claim Defendant.)	
_____)	

MERIDIAN FINANCIAL)
NETWORK, INC., et al.,)
)
Third Party Plaintiffs,)
)
vs.)
)
3M INVESTMENTS,)
INCORPORATED and EXPRESS)
HOME LOANS, LLC,)
)
Third Party Defendants.)
)
_____)

ORDER ENTERING DEFAULT AGAINST MERIDIAN UNDERWRITERS,
INC., AND FINDING AND RECOMMENDATION THAT COUNTERCLAIMS
AND CROSSCLAIMS OF MERIDIAN UNDERWRITERS, INC.
BE DISMISSED

On January 16, 2008, the Court granted the motion of Clay Chapman Crumpton Iwamura & Pulice to withdraw as counsel for Defendant/Counterclaimant/Cross-Claimant/Third-Party Plaintiff Meridian Underwriters, Inc. (“Meridian Underwriters”). Meridian Underwriters was left without counsel. On January 18, the Court instructed Meridian Underwriters to obtain new counsel to represent it in this litigation by February 28, 2008. If Meridian Underwriters failed to obtain new counsel by that date, the Court ordered Meridian Underwriters to appear before it on February 28, 2008, at 9:30 a.m. to

show cause why its counterclaims and crossclaims should not be dismissed, and default entered against it.

No counsel appeared on behalf of Meridian Underwriters, either prior to February 28, or at the show cause hearing held on February 28. Accordingly, for failure to be represented by counsel, and for failure to appear as ordered, the Court hereby ORDERS that the counterclaims and crossclaims of Meridian Underwriters be DISMISSED, and FINDS & RECOMMENDS that default be entered against Meridian Underwriters, in favor of Plaintiff.

IT IS SO ORDERED.

IT IS SO FOUND & RECOMMENDED.



/s/ Barry M. Kurren
United States Magistrate Judge
Dated: March 3, 2008

Meridian Financial Network, Inc., et al.; Civ. No. 07-00045 JMS-BMK; ORDER ENTERING DEFAULT AGAINST MERIDIAN UNDERWRITERS, INC., AND FINDING AND RECOMMENDATION THAT COUNTERCLAIMS AND CROSSCLAIMS OF MERIDIAN UNDERWRITERS, INC. BE DISMISSED